

UNITED STATES DISTRICT COURT
 for the
 District of Nebraska

United States of America)
 v.)
)
) Case No. 8:22MJ48
 RICKY A. WYNN)
)
)
)
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 30, 2022 in the county of Douglas in the
 District of Nebraska, the defendant(s) violated:

| <i>Code Section</i> | <i>Offense Description</i> |
|--------------------------------------|--|
| 26 U.S.C. §§ 5841, 5861(d) and 5871. | On or about January 30, 2022, in the District of Nebraska, the defendant, RICKY A. WYNN, did knowingly possess a firearm, as defined by 26 U.S.C. § 5845(a), that is, a destructive device, also known as a Molotov cocktail, not registered to him in the National Firearms Registration and Transfer Record. In violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871. |

This criminal complaint is based on these facts:

Affidavit

Continued on the attached sheet.



Complainant's signature

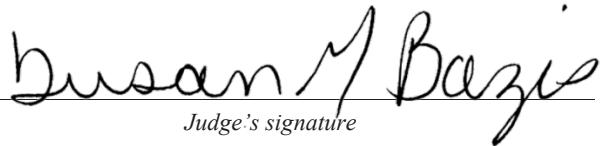
Donald Mann, SA

Printed name and title

Sworn to before me and signed in my presence.

Sworn to before me by telephone or other reliable electronic means.

Date: 2-15-22



Judge's signature

City and state: Omaha, Nebraska

Susan M. Bazis, U.S. Magistrate Judge

Printed name and title

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)) AFFIDAVIT OF Donald Mann
)

Donald Mann, being first duly sworn, hereby states that:

1. Your Affiant, Donnie Mann, is employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, and has been so employed since January 2008. Your Affiant is a graduate of the Criminal Investigators Training Program at the Federal Law Enforcement Training Center, Glynco, GA. Your Affiant has also completed the Bureau of Alcohol, Tobacco, Firearms and Explosives Special Agent Basic Training, also held at the Federal Law Enforcement Training Center in Glynco, Georgia. Your Affiant has reviewed and participated in multiple explosive and fire related investigations.
2. This Affidavit is based upon your Affiant's personal knowledge and observations, as well as information provided by other law enforcement officers, and through information received from other witnesses. Because this Affidavit is solely for the purpose of establishing probable cause, not all facts relating to this investigation are included herein.
3. As a result of your Affiant's training and experience, your Affiant knows that it is a violation of Title 18, United States Code, Section 844(d) for any person to transport or receive, or attempt to transport or receive, in interstate or foreign commerce any explosive with the knowledge or intent that it will be used to kill, injure, or intimidate any individual or unlawfully to damage or destroy any building, vehicle, or other real or personal property.

4. As a result of your Affiant's training and experience, your Affiant knows that it is a violation of Title, 26 U.S.C. § 5861(d), for a person to "possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record." The Act further defines the term "firearm" to include "a destructive device." Id. § 5845(a)(8). And the Act defines a "destructive device" to mean "any explosive, incendiary, or poison gas" bomb, grenade, or similar device, or any "combination of parts either designed or intended for use in converting any device into a destructive device . . . and from which a destructive device may be readily assembled." Id. § 5845(f). The term "destructive device" does not include a device "which is neither designed nor redesigned for use as a weapon," or any device designed or redesigned for signaling, pyrotechnic purposes, or safety purposes. Id.

5. On January 30th, 2022, the Omaha Police and Fire Departments were dispatched to 3916 Y Street, Omaha, Nebraska for a report of multiple suspicious packages at this location. The subsequent investigation determined approximately thirteen (13) devices of an incendiary and/or explosive nature were placed around a vehicle and detached garage at the 3916 Y Street, Omaha, NE address. Twelve (12) of these devices were "Molotov cocktail" type devices, i.e. containers filled with fuel and an attached fuse or "wick." Most of the Molotov cocktail type devices were spray painted black, and several were wrapped in black and/or silver duct tape. These devices had either hobby fuse or sections of rope for a fuse or "wick." The thirteenth device contained an energetic powder, (consistent with smokeless powder) and a significant number of nails and screws. A section of scorched pavement was located next to this device. Based on your Affiant's training and experience it appears a long fuse leading to this device was lit in an attempt

to detonate the device, however the fuse did not remain lit and the device failed to detonate.

6. The occupants of 3916 Y Street, Omaha, NE stated they had previously been granted a protection order against an individual with whom they had a prior dispute, and this person threw coffee on them at the conclusion of a confrontation in November of 2020. The individual was identified as Ricky WYNN (white male, DOB 08/26/1961).

7. Further investigation resulted in a Pottawattamie County court authorized search warrant of WYNN's apartment, garage and vehicle located in Council Bluffs, Iowa on February 2nd, 2022.

8. During this search, investigators located various components consistent with the thirteen devices recovered from 3916 Y Street, Omaha, NE on January 30th, 2022. In WYNN's apartment investigators located powder consistent with the powder which was found in one of the devices. In addition, in WYNN's garage investigators located multiple gas cans, black and silver duct tape, hobby fuse, rope, black spray paint, empty boxes of nails and screws. Furthermore, receipts for the purchases of these items from Wal-Mart and Menards (dated January 29th, 2022) were located in WYNN's garage.

9. On February 2nd, 2022, your Affiant queried the National Firearms Transfer and Registration Record and found WYNN has no destructive devices registered.

10. Based on the foregoing, your Affiant believes there is probable cause to believe Ricky WYNN transported or received, or attempted to transport or receive, in interstate or foreign commerce any explosive with the knowledge or intent that it will be used to kill, injure, or intimidate any individual or unlawfully to damage or destroy any building, vehicle, or other real or personal property in violation of 18 U.S.C. § 844(d) and

knowingly possessed unregistered destructive devices, in violation of 26 U.S.C. §§ 5861(d), 5845(a)(8) and 5845(f).

FURTHER YOUR AFFIANT SAYETH NOT.



Donnie Mann, Special Agent
Bureau of Alcohol, Tobacco, Firearms
and Explosives

SUBSCRIBED and SWORN to before me this
15 day of February, 2022.



SUSAN M. BAZIS
UNITED STATES MAGISTRATE JUDGE
District of Nebraska